

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CONIE TAYLOR,

Plaintiff,

v.

Case No. 19-13276

CITY OF EASTPOINTE, et al.,

Defendants.

**ORDER STRIKING DEFENDANT MACOMB COUNTY'S MOTION FOR SUMMARY
JUDGMENT DUE TO NONCONFORMANCE TO MOTION STANDARDS AND
DIRECTING DEFENDANT TO RE-FILE**

On September 21, 2021, Defendant Macomb County filed its "Motion for Summary Judgment" pursuant to Federal Rule of Civil Procedure 56. (ECF No. 27.) Defendant's motion will be stricken for its failure to conform to the standards of the court.

Counsel are directed to adhere to the requirements of the court's scheduling order. (ECF No. 19.) Counsel should review the promulgated guidelines for motions, particularly those under the sub-heading "Rule 56 Motion Statement of Material Facts; format of 'fact appendix.'" As noted in the scheduling order:

A Rule 56 motion must begin with a "Statement of Material Facts." Such a Statement is to be included as the first section of the Rule 56 Motion, but the pages of that section do not count against the page limit for briefs. The Statement must consist of numbered paragraphs briefly describing each material fact underlying the motion. Each proffered fact must be supported by a citation to record evidence, presented in a separate Fact Appendix.

(*Id.*, PageID.148-49.) While Defendant's motion includes legal arguments, it lacks both a "Statement of Material Facts" and any sort of "Fact Appendix" in support of Defendant's contentions. Accordingly,

IT IS ORDERED that Defendant's "Motion for Summary Judgment" (ECF No. 27) is hereby STRICKEN from the court's docket.

Should Defendant Macomb County desire to pursue this motion, it is DIRECTED to re-file the motion, in conformity with the court's scheduling order, by October 5, 2021.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 28, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 28, 2021, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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